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Attorney for Plaintiff In conjunction with Legal Aid Center of Southern Nevada Pro Bono Project

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TERRELL DESHON KEMP, SR.,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al..

Defendants.

CASE NO: 2:18-cv-00169-RFB-BNW

**PLAINTIFF'S COUNSEL'S MOTION TO
WITHDRAW AS COUNSEL FOR
PLAINTIFF**

The undersigned counsel hereby moves to Withdraw as Counsel for Plaintiff. This motion is made and based upon the Memorandum of Points and Authorities submitted herein, the Declaration of Trevor J. Hatfield, Esq., attached hereto, the pleadings and papers on file and any argument adduced at the hearing of this Motion to Withdraw as Counsel for Plaintiff.

Dated this 22nd day of June 2022.

HATFIELD & ASSOCIATES, LTD.

By: /s/ Trevor J. Hatfield

Trevor J. Hatfield, Esq. (SBN 7373)

703 South Eighth Street

Las Vegas, Nevada 89101

*Attorney for Plaintiff In Conjunction with
Legal Aid Center of Southern Nevada Pro
Bono Project*

MEMORANDUM OF POINTS AND AUTHORITIES

I.

Local Rule IA 11-06 (a) allows for an attorney to withdraw with leave of court after notice of the intent to withdraw is served. Counsel has discussed withdrawing from representing his client, Plaintiff, and is seeking withdrawal by motion. Local Rule IA 11-06 (e) provides that, except for good cause, withdrawal will not be granted if a delay in discovery, the trial or any hearing will result.

Here, Counsel believes that there will be no delay, as discovery has closed, and there is no pending pretrial deadlines or trial setting. Attached is the Declaration of Counsel setting forth that in his belief it is in the best interests of Counsel and Plaintiff that Counsel's motion be granted.

As Plaintiff is incarcerated, Plaintiff shall be served by United States mail, pursuant to Local Rule IA 11-06 (b) and the opposing counsel in this case will receive notice of this motion via the CM/ECF system

Dated this 22nd day of June, 2022.

HATFIELD & ASSOCIATES LTD.

IT IS ORDERED that ECF No. 132 is
GRANTED.

IT IS FURTHER ORDERED that the Clerk of Court is kindly directed to update Plaintiff's address consistent with this order. IT IS FURTHER ORDERED that, by 7/1/2022, Plaintiff's counsel must certify that he served a copy of this Court's order on Plaintiff.

IT IS FURTHER ORDERED that the Clerk of Court shall forward a copy of this order to the Pro Bono Liaison so that this case may be re-added to the list of cases needing pro bono counsel.

By: Trevor J. Hatfield
Trevor J. Hatfield, Esq. (SBN 7373)
703 South Eighth Street
Las Vegas, Nevada 89101
(702) 388-4469 Tel
Attorney for Plaintiff In Conjunction with Legal Aid Center of Southern Nevada Pro Bono Project

IT IS SO ORDERED
DATED: 4:08 pm, June 23, 2022

BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE

DECLARATION OF TREVOR J. HATFIELD, ESQ.

TREVOR J. HATFIELD, ESQ., being first duly sworn deposes and says:

1. I am an attorney licensed to practice law in all courts in the State of Nevada. I have personal knowledge of the facts set forth below, and I believe them to be true.

2. Counsel has represented dozens of pro bono clients over twenty years of practice but has never believed withdrawal was compelled in a pro bono case until this case. Counsel has discussed withdrawing from representing his client due to a perceived conflict. The basis for this motion is that Counsel believes that he has an actual conflict with Plaintiff and the conflict cannot be reconciled.

3. Plaintiff will be informed by Counsel of Counsel's intent to withdraw from representing Plaintiff, in that Plaintiff shall be served by United States mail, and the opposing counsel in this case will receive notice of this motion vial the CM/ECF system.

4. Plaintiff's last known address is:

Terrell Deshon Kemp, Sr., #67713
S.D.C.C.
P.O. Box 208
Indian Springs, Nevada 89070

FURTHER THIS DECLARANT SAYETH NAUGHT.

Dated: June 22, 2022

/s/ Trevor J. Hatfield

TREVOR J. HATFIELD, ESQ.

CERTIFICATE OF SERVICE

I certify that on June 22, 2022, I electronically filed the foregoing **PLAINTIFF'S COUNSEL'S MOTION TO WITHDRAW AS COUNSEL FOR PLAINTIFF** with the Clerk of the Court using the ECF system which served the parties hereto electronically.

Dated: June 22, 2022.

By: _____ /s/ *Freda P. Brazier*
An Employee of Hatfield & Associates, Ltd.

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